

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

HAROUT HANDIAN,  
Plaintiff,

v.

MARK SCOTT SHEPARD., et al.,  
Defendants.

Case No. 1:22-cv-01269-ADA-EPG

ORDER RE: NOTICE OF VOLUNTARY  
DISMISSAL OF DEFENDANT SUSAN  
WARD TARNER ONLY

(ECF Nos. 25, 26)

On April 18, 2023, Plaintiff filed a notice of voluntary dismissal without prejudice as to Defendant Susan Ward Tarnar only.<sup>1</sup> (ECF Nos. 25, 26). Defendant Susan Ward Tarnar has not filed either an answer or a motion for summary judgment. Accordingly, in light of the notice, the case against Defendant Susan Ward Tarnar has ended and is dismissed without prejudice. *See* Fed. R. Civ. P. 41(a)(1)(A)(i); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is respectfully directed to terminate Defendant Susan Ward Tarnar as a defendant on the docket. And in light of the dismissal, the May 3, 2023 deadline to move for a default judgment against Defendant Susan Ward Tarnar is vacated. (ECF No. 24).

IT IS SO ORDERED.

Dated: April 19, 2023

/s/ Eric P. Shoup  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> Plaintiff filed two materially similar notices on the same day, but changing the caption and proof of service section on the latter filing.

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